

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES--GENERAL

Case No.: CV 08-8279-CMB(CTx)

Date: June 18, 2009

Title: NORMA DAVIS v. LOS ANGELES TRAVELODGE WEST PARTNERSHIP, LP,
et al.

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DOCKET ENTRY:

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PRESENT: Hon. CAROLYN TURCHIN, MAGISTRATE JUDGE

Deborah Malone
Deputy Clerk

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:
None present

ATTORNEYS PRESENT FOR DEFENDANTS:
None present

PROCEEDINGS: (ORDER: DENYING PLAINTIFF'S MOTION COMPEL AND REQUEST
FOR A RECOMMENDATION OF SANCTIONS; AND, TAKING JULY 6,
2009, HEARING OFF CALENDAR)

The court has received plaintiff's motion to compel defendant to provide further responses to her interrogatories and request for a recommendation of monetary or preclusive sanctions. The requests are **DENIED**.

Despite the court's repeated admonishments that the parties must comply with the local rules, the document filed with the court is not a true joint stipulation. See L.R. 37. It is evident, too, that the parties have not engaged in a good faith effort to resolve this dispute. The result is an unconscionable waste of court resources and needless expense to counsels' clients.

According to defendant's contentions in the so-called joint stipulation, defendant has provided plaintiff with supplemental responses to her interrogatory requests. These include, according to defendant, supplemental answers to the four requests plaintiff has placed at issue here. They eliminate, moreover, the boilerplate preliminary and general objections plaintiff also has placed in issue.

Notwithstanding this, the court observes that plaintiff does not directly address the supplemental responses or attempt to convince the court that they are deficient. Instead, she continues to argue the insufficiency of defendant's original responses. She also purports to seek sanctions "regardless" of whether defendant has supplemented its responses. (See Declaration of Aaron Stites, ¶¶ 38-39.) It is, therefore, unclear to the court what issues, if any, actually remain in dispute.

An award of sanctions is not warranted at this time. The court

is less than pleased with the conduct of both parties, and is disappointed it had to waste its time on yet another improperly filed motion.

If defendant did not, in fact, supplement its responses, plaintiff's counsel may re-notice this motion upon 21-days notice as is required by the local rules. See L.R. 37-3. **Any further motion relating to other discovery disputes or to the sufficiency of any supplemental responses must be brought by way of a properly filed, concise joint stipulation that complies with the form requirements of Local Rule 37-2.1.**

The court again recommends the parties retain a special master to assist them with their discovery.

IT IS SO ORDERED.

cc: Judge Marshall

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